

and 96-25-00. The reference coordinates for the Channel 297A allotment at Caldwell, Texas, are 30-33-31 and 96-34-50. With this action, the proceeding is terminated.

**EFFECTIVE DATE:** August 21, 1995.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau, (202) 776-1654.

**SUPPLEMENTAL INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 91-58, adopted June 23, 1995, and released July 5, 1995. The full text of this decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Washington, DC 20037.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

**Authority:** Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by deleting Channel 297C3 and adding Channel 236C2 at College Station.

3. Section 73.202(b), the Table of FM Allotments under Texas, is amended by deleting Channel 236A and adding Channel 297A at Caldwell.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 95-16843 Filed 7-7-95; 8:45 am]

**BILLING CODE** 6712-01-F

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Parts 650 and 651

[Docket No. 950622165-5165-01; I.D. 060595D]

**RIN** 0648-AI03

##### Atlantic Sea Scallop Fishery; Framework Adjustment 6 and Northeast Multispecies Fishery; Framework Adjustment 11; Modifies Demarcation Line To Monitor Vessel Activity

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement Framework Adjustment 11 to the Northeast Multispecies Fishery Management Plan (Multispecies FMP) and Framework Adjustment 6 to the Atlantic Sea Scallop Fishery Management Plan (Scallop FMP). This action modifies a demarcation line in the current regulations that is used to monitor vessel activity. The intent of this action is to enhance enforcement capability.

**EFFECTIVE DATE:** August 9, 1995.

**ADDRESSES:** Copies of Framework Adjustments 6 to the Scallop FMP and 11 to the Multispecies FMP and copies of Amendment 4 to the Scallop FMP and Amendment 5 to the Multispecies FMP, their regulatory impact reviews, initial regulatory flexibility analyses (IRFA), and final and supplemental environmental impact statements are available from Douglas Marshall, Executive Director, New England Fishery Management Council (Council), Suntaug Office Park, 5 Broadway (U.S. Rte. 1), Saugus, MA 01906-1097; telephone: 617-231-0422.

**FOR FURTHER INFORMATION CONTACT:** Myles Raizin, Resource Policy Analyst, 508-281-9104.

**SUPPLEMENTARY INFORMATION:** Final regulations implementing Amendment 5 to the Multispecies FMP and Amendment 4 to the Scallop FMP were published on March 1, 1994 (59 FR 9872), and January 19, 1994 (59 FR 2757), respectively. These amendments established effort control programs that allocated a certain number of days during which a vessel may fish for regulated multispecies or scallops. These programs are referred to as days-at-sea (DAS) programs. The DAS programs require a demarcation line to

determine when a vessel leaves port to initiate a fishing trip so that the vessel's DAS can be traced electronically using a vessel tracking device. The framework adjustments implemented by this rule modify the existing vessel tracking system (VTS) demarcation line which is based on the International Regulations for Preventing Collisions at Sea (COLREGS) line. The modified line, referred to as the Vessel Tracking System Demarcation Line (VTSDL), is a continuous line formed by connecting 50 specified coordinates that parallel the east coast of the United States from the Canadian border to South Carolina.

NMFS' Office of Enforcement in the Northeast Region has the responsibility for implementing, monitoring, and enforcing the DAS program. During the development of this monitoring program, NMFS enforcement discovered that the COLREGS demarcation line specified in the regulations for multispecies and scallops would not be functional in the electronic system because the line is discontinuous and often described only in narrative terms.

The Council and NMFS initially believed that the COLREGS demarcation line would be an optimal boundary for this purpose because it was preexisting and appeared to be a reasonable distance from shore. This line is used to delineate the waters upon which mariners must comply with the International Regulations for Preventing Collisions at Sea (33 CFR part 80), and those waters upon which mariners shall comply with the Inland Navigation Rules. Since the COLREGS demarcation line is actually a series of disjointed lines, a vessel could breach the COLREGS line undetected.

NMFS determined that in order to be functional for the computerized VTS, the line would have to be defined in terms of latitude/longitude coordinates. The VTSDL forms a continuous line allowing NMFS enforcement to monitor the entire coastline from Maine to South Carolina. Therefore, a vessel embarking on or returning from a fishing trip must cross the VTSDL, thus, triggering or ceasing a DAS. Accordingly, NMFS requested that the Council modify the regulations to define the line in terms of latitude/longitude coordinates.

#### Justification for Final Rule

The Council developed Framework Adjustment 11 to the Multispecies FMP and Framework Adjustment 6 to the Scallop FMP to amend the regulations. These adjustments comply with all procedural requirements set forth in 50 CFR 650.40 and 651.40, which are the provisions of the implementing regulations for the Scallop FMP and

Multispecies FMP governing framework modifications to management measures. The Council requested publication of the management measures as a final rule after considering the required factors set forth at §§ 650.40(d) and 651.40(d).

#### Public Comment

The framework adjustments were developed and analyzed at Council meetings on March 29 and May 18, 1995. The Council provided the public with advance notice of both the proposed change to the line and the reasons for the change, and the opportunity to comment on them prior to and at the Council meetings.

One comment was received at the March 29, 1995, meeting regarding two coordinates off the coast of Maine. The commenter believed the coordinates would allow excessive groundfishing inside the demarcation line in down-east Maine. The Council concurred and revised the two coordinates and added a third, so that the line is drawn closer to shore. No comments were received at the May 18, 1995, meeting.

NMFS concurs with the framework adjustments because the replacement of the COLREGS line with the VTSDL will enhance the ability to monitor and enforce the DAS programs, thus providing immediate and increased protection for the scallop and multispecies resources.

#### Classification

The Assistant Administrator for Fisheries, NOAA (AA), finds there is

good cause to waive prior notice and opportunity for comments under 5 U.S.C. 553(b)(B). Public meetings held by the Council to discuss the management measures of Framework Adjustment 6 to the Scallop FMP and Framework Adjustment 11 to the Multispecies FMP provided adequate prior notice and opportunity for public comment to be made and considered, making additional prior notice and opportunity for public comment unnecessary.

Because no proposed rule is required, this action is exempt from the requirements to prepare an IRFA under the Regulatory Flexibility Act. As a result, a regulatory flexibility analysis was not prepared.

This final rule has been determined to be not significant for purposes of E.O. 12866.

#### List of Subjects

##### 50 CFR Part 650

Fisheries, Reporting and recordkeeping requirements.

##### 50 CFR Part 651

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: June 29, 1995.

**Gary Matlock,**

*Acting Assistant Administrator for Fisheries,  
National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR parts 650 and 651 are amended as follows:

#### PART 650—ATLANTIC SEA SCALLOP FISHERY

1. The authority citation for part 650 continues to read as follows:

**Authority:** 16 U.S.C. 1801 *et seq.*

##### § 650.2 [Amended]

2. In § 650.2, the definition of “COLREGS Demarcation Lines” is removed.

3. In § 650.24, existing paragraph (c)(2)(ii) is redesignated as paragraph (c)(2)(iii); a new paragraph (c)(2)(ii) is added; and paragraph (c)(2)(i) is revised to read as follows:

##### § 650.24 Days-at-sea (DAS) allocations.

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(i) DAS for vessels that are under the VTS monitoring system described in § 650.26(a) are counted beginning with the first hourly location signal received showing that the vessel crossed the Vessel Tracking System Demarcation Line leaving port and ending with the first hourly location signal received showing that the vessel crossed the Vessel Tracking System Demarcation Line upon its return to port.

(ii) *Vessel Tracking System Demarcation Line.* The Vessel Tracking System Demarcation Line is defined by straight lines connecting the following points in the order stated (See Figures 3 and 4 to part 650):

#### VESSEL TRACKING SYSTEM DEMARCATION LINE

Description	Longitude	Latitude
1. Northern terminus point (Canada land mass) .....	45°03' N.	66°47' W.
2. A point east of West Quoddy Head Light .....	44°48.9' N.	66°56.1' W.
3. A point east of Little River Light .....	44°39.0' N.	67°10.5' W.
4. Whistle Buoy “8BI” (SSE of Baker Island) .....	44°13.6' N.	68°10.8' W.
5. Isle au Haut Light .....	44°03.9' N.	68°39.1' W.
6. Pemaquid Point Light .....	43°50.2' N.	69°30.4' W.
7. A point west of Halfway Rock .....	43°38.0' N.	70°05.0' W.
8. A point east of Cape Neddick Light .....	43°09.9' N.	70°34.5' W.
9. Merrimack River Entrance “MR” Whistle Buoy .....	42°48.6' N.	70°47.1' W.
10. Halibut Point Gong Buoy “1AHP” .....	42°42.0' N.	70°37.5' W.
11. Connecting reference point .....	42°40' N.	70°30' W.
12. Whistle Buoy “2” off Eastern Point .....	42°34.3' N.	70°39.8' W.
13. The Graves Light (Boston) .....	42°21.9' N.	70°52.2' W.
14. Minots Ledge Light .....	42°16.2' N.	70°45.6' W.
15. Farnham Rock Lighted Bell Buoy .....	42°05.6' N.	70°36.5' W.
16. Cape Cod Canal Bell Buoy “CC” .....	41°48.9' N.	70°27.7' W.
17. A point inside Cape Cod Bay .....	41°48.9' N.	70°05' W.
18. Race Point Lighted Bell Buoy “RP” .....	42°04.9' N.	70°16.8' W.
19. Peaked Hill Bar Whistle Buoy “2PH” .....	42°07.0' N.	70°06.2' W.
20. Connecting point, off Nauset Light .....	41°50' N.	69°53' W.
21. A point south of Chatham “C” Whistle Buoy .....	41°38' N.	69°55.2' W.
22. A point in eastern Vineyard Sound .....	41°30' N.	70°33' W.
23. A point east of Martha’s Vineyard .....	41°22.2' N.	70°24.6' W.
24. A point east of Great Pt. Light, Nantucket .....	41°23.4' N.	69°57' W.
25. A point SE of Sankaty Head, Nantucket .....	41°13' N.	69°57' W.
26. A point west of Nantucket .....	41°15.6' N.	70°25.2' W.
27. Squibnocket Lighted Bell Buoy “1” .....	41°15.7' N.	70°46.3' W.

## VESSEL TRACKING SYSTEM DEMARCATION LINE—Continued

Description	Longitude	Latitude
28. Wilbur Point (on Sconticut Neck) .....	41°35.2' N.	70°51.2' W.
29. Mishaum Point (on Smith Neck) .....	41°31.0' N.	70°57.2' W.
30. Sakonnet Entrance Lighted Whistle Buoy "SR" .....	41°25.7' N.	71°13.4' W.
31. Point Judith Lighted Whistle Buoy "2" .....	41°19.3' N.	71°28.6' W.
32. A point off Block Island Southeast Light .....	41°08.2' N.	71°32.1' W.
33. Shinnecock Inlet Lighted Whistle Buoy "SH" .....	40°49.0' N.	72°28.6' W.
34. Scotland Horn Buoy "S", off Sandy Hook (NJ) .....	40°26.5' N.	73°55.0' W.
35. Barnegat Lighted Gong Buoy "2" .....	39°45.5' N.	73°59.5' W.
36. A point east of Atlantic City Light .....	39°21.9' N.	74°22.7' W.
37. A point east of Hereford Inlet Light .....	39°00.4' N.	74°46' W.
38. A point east of Cape Henlopen Light .....	38°47' N.	75°04' W.
39. A point east of Fenwick Island Light .....	38°27.1' N.	75°02' W.
40. A point NE of Assateague Island (VA) .....	38°00' N.	75°13' W.
41. Wachapreague Inlet Lighted Whistle Buoy "A" .....	37°35.0' N.	75°33.7' W.
42. A point NE of Cape Henry .....	36°55.6' N.	75°58.5' W.
43. A point east of Currituck Beach Light .....	36°22.6' N.	75°48' W.
44. Oregon Inlet (NC) Whistle Buoy .....	35°48.5' N.	75°30' W.
45. Wimble Shoals, east of Chicamacomico .....	35°36' N.	75°26' W.
46. A point SE of Cape Hatteras Light .....	35°12.5' N.	75°30' W.
47. Hatteras Inlet Entrance Buoy "HI" .....	35°10' N.	75°46' W.
48. Ocracoke Inlet Whistle Buoy "OC" .....	35°01.5' N.	76°00.5' W.
49. A point east of Cape Lookout Light .....	34°36.5' N.	76°30' W.
50. Southern terminus point .....	34°35' N.	76°41' W.

\* \* \* \* \*

*Figures 3 and 4 to Part 650 [Amended]*

4. Figures 3 and 4 to part 650 are added to read as follows:

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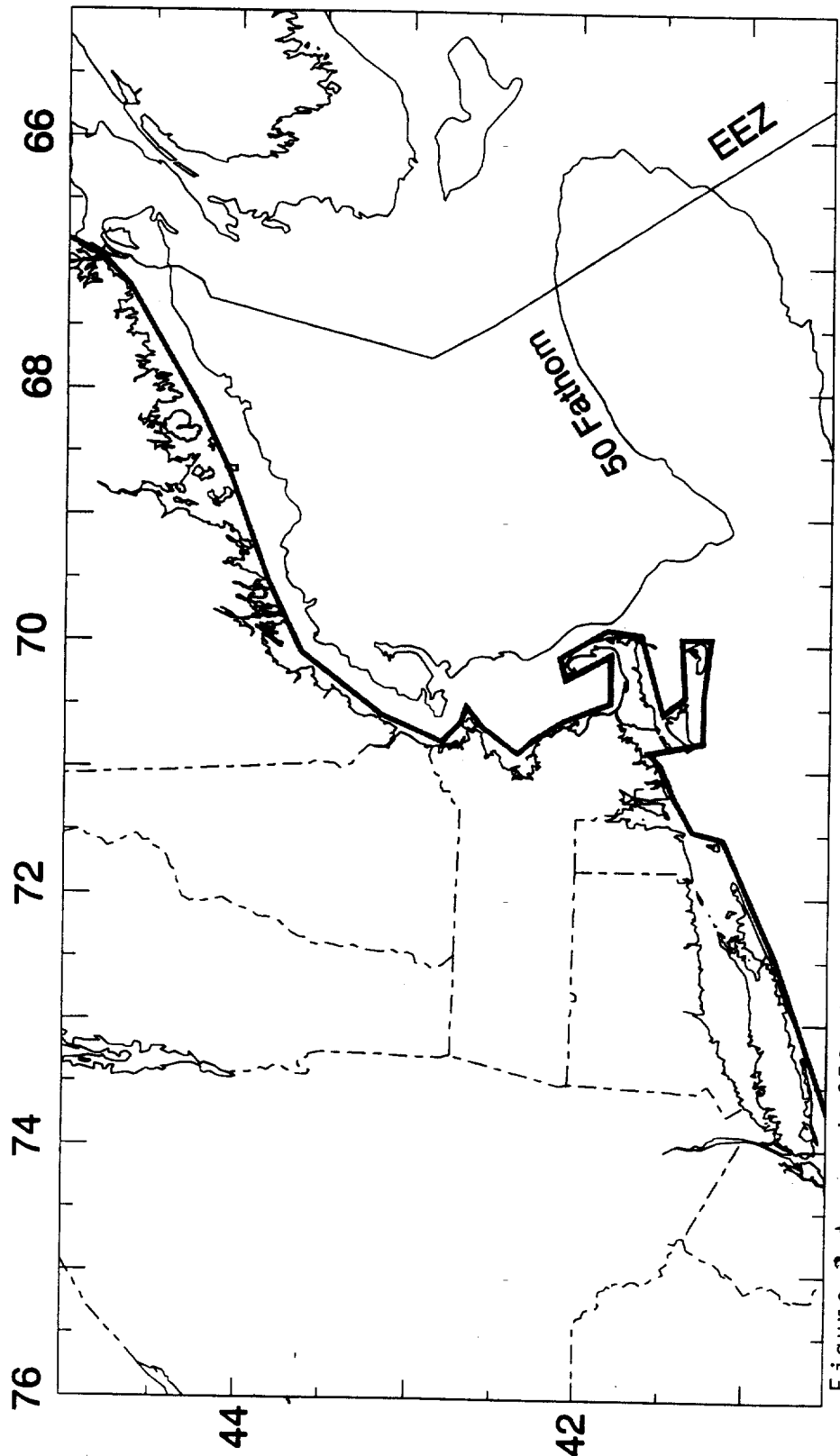


Figure 3 to part 650--Vessel Tracking System Demarcation Line; Northern Leg

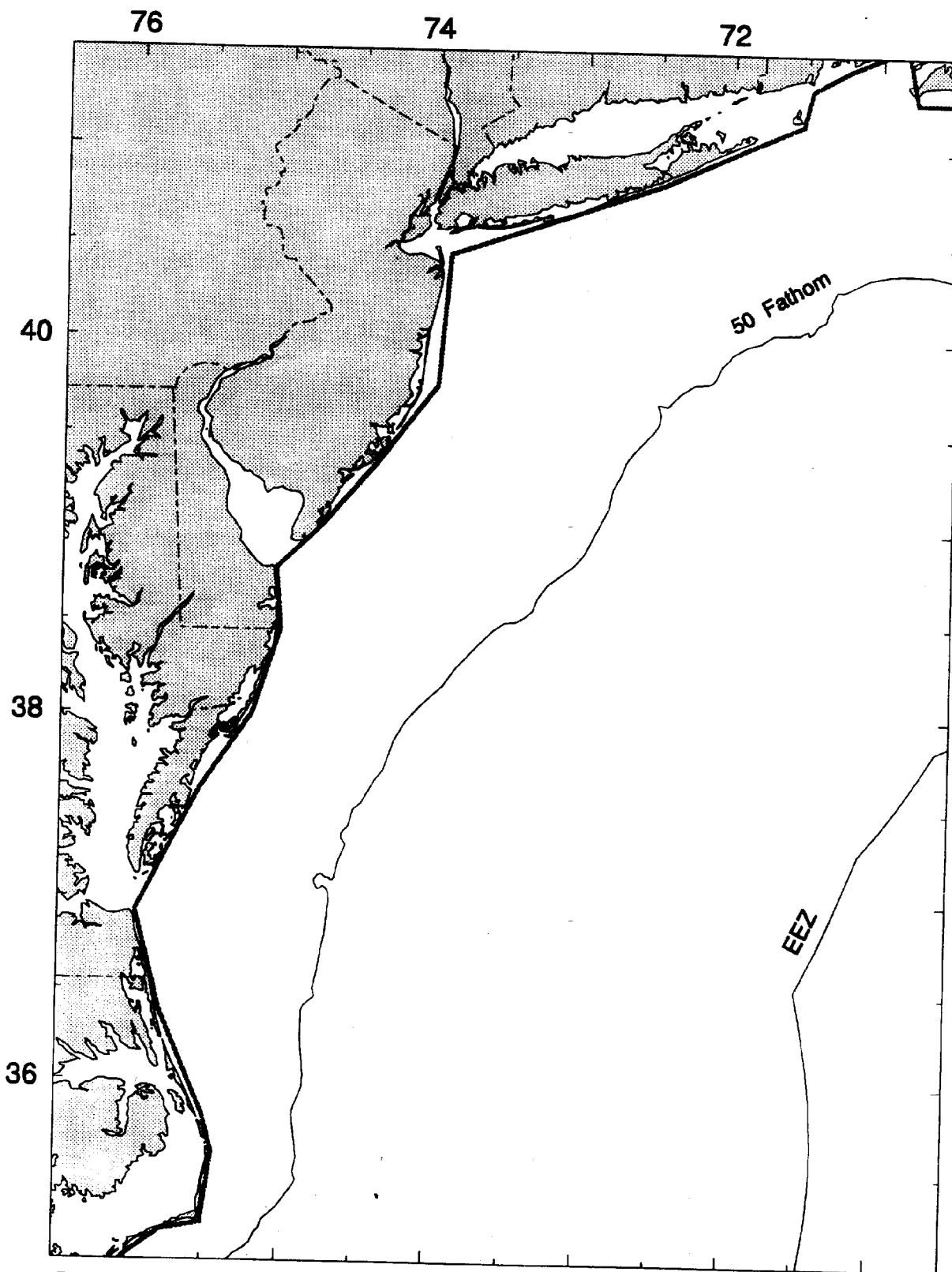


Figure 4 to part 650--Vessel Tracking System Demarcation Line;  
Southern Leg

**PART 651—NORTHEAST  
MULTISPECIES FISHERY**

5. The authority citation for part 651 continues to read as follows:

**Authority:** 16 U.S.C. 1801 *et seq.*

**§ 651.2 [Amended]**

6. In § 651.2, the definition of “COLREGS Demarcation Lines” is removed.

7. In § 651.22, paragraph (b)(3)(iv) is redesignated as paragraph (b)(3)(v); a

new paragraph (b)(3)(iv) is added; and paragraph (b)(3)(iii) is revised to read as follows:

**§ 651.22 Effort-control program for limited access vessels.**

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(iii) *Accrual of DAS.* DAS for vessels that are under the VTS monitoring system described in § 651.29(a) are counted beginning with the first hourly location signal received showing that

the vessel crossed the Vessel Tracking System Demarcation Line leaving port and ending with the first hourly location signal received showing that the vessel crossed the Vessel Tracking System Demarcation Line upon its return to port.

(iv) *Vessel Tracking System Demarcation Line.* The Vessel Tracking System Demarcation Line is defined as straight lines connecting the following points in the order stated (See Figures 6 and 7 to part 651):

**VESSEL TRACKING SYSTEM DEMARCATION LINE**

Description	Longitude	Latitude
1. Northern terminus point (Canada land mass) .....	45°03' N.	66°47' W.
2. A point east of West Quoddy Head Light .....	44°48.9' N.	66°56.1' W.
3. A point east of Little River Light .....	44°39.0' N.	67°10.5' W.
4. Whistle Buoy “8BI” (SSE of Baker Island) .....	44°13.6' N.	68°10.8' W.
5. Isle au Haut Light .....	44°03.9' N.	68°39.1' W.
6. Pemaquid Point Light .....	43°50.2' N.	69°30.4' W.
7. A point west of Halfway Rock .....	43°38.0' N.	70°05.0' W.
8. A point east of Cape Neddick Light .....	43°09.9' N.	70°34.5' W.
9. Merrimack River Entrance “MR” Whistle Buoy .....	42°48.6' N.	70°47.1' W.
10. Halibut Point Gong Buoy “1AHP” .....	42°42.0' N.	70°37.5' W.
11. Connecting reference point .....	42°40' N.	70°30' W.
12. Whistle Buoy “2” off Eastern Point .....	42°34.3' N.	70°39.8' W.
13. The Graves Light (Boston) .....	42°21.9' N.	70°52.2' W.
14. Minots Ledge Light .....	42°16.2' N.	70°45.6' W.
15. Farnham Rock Lighted Bell Buoy .....	42°05.6' N.	70°36.5' W.
16. Cape Cod Canal Bell Buoy “CC” .....	41°48.9' N.	70°27.7' W.
17. A point inside Cape Cod Bay .....	41°48.9' N.	70°05' W.
18. Race Point Lighted Bell Buoy “RP” .....	42°04.9' N.	70°16.8' W.
19. Peaked Hill Bar Whistle Buoy “2PH” .....	42°07.0' N.	70°06.2' W.
20. Connecting point, off Nauset Light .....	41°50' N.	69°53' W.
21. A point south of Chatham “C” Whistle Buoy .....	41°38' N.	69°55.2' W.
22. A point in eastern Vineyard Sound .....	41°30' N.	70°33' W.
23. A point east of Martha’s Vineyard .....	41°22.2' N.	70°24.6' W.
24. A point east of Great Pt. Light, Nantucket .....	41°23.4' N.	69°57' W.
25. A point SE of Sankaty Head, Nantucket .....	41°13' N.	69°57' W.
26. A point west of Nantucket .....	41°15.6' N.	70°25.2' W.
27. Squibnocket Lighted Bell Buoy “1” .....	41°15.7' N.	70°46.3' W.
28. Wilbur Point (on Sconticut Neck) .....	41°35.2' N.	70°51.2' W.
29. Mishaum Point (on Smith Neck) .....	41°31.0' N.	70°57.2' W.
30. Sakonnet Entrance Lighted Whistle Buoy “SR” .....	41°25.7' N.	71°13.4' W.
31. Point Judith Lighted Whistle Buoy “2” .....	41°19.3' N.	71°28.6' W.
32. A point off Block Island Southeast Light .....	41°08.2' N.	71°32.1' W.
33. Shinnecock Inlet Lighted Whistle Buoy “SH” .....	40°49.0' N.	72°28.6' W.
34. Scotland Horn Buoy “S”, off Sandy Hook (NJ) .....	40°26.5' N.	73°55.0' W.
35. Barnegat Lighted Gong Buoy “2” .....	39°45.5' N.	73°59.5' W.
36. A point east of Atlantic City Light .....	39°21.9' N.	74°22.7' W.
37. A point east of Hereford Inlet Light .....	39°00.4' N.	74°46' W.
38. A point east of Cape Henlopen Light .....	38°47' N.	75°04' W.
39. A point east of Fenwick Island Light .....	38°27.1' N.	75°02' W.
40. A point NE of Assateague Island (VA) .....	38°00' N.	75°13' W.
41. Wachapreague Inlet Lighted Whistle Buoy “A” .....	37°35.0' N.	75°33.7' W.
42. A point NE of Cape Henry .....	36°55.6' N.	75°58.5' W.
43. A point east of Currituck Beach Light .....	36°22.6' N.	75°48' W.
44. Oregon Inlet (NC) Whistle Buoy .....	35°48.5' N.	75°30' W.
45. Wimble Shoals, east of Chicamacomico .....	35°36' N.	75°26' W.
46. A point SE of Cape Hatteras Light .....	35°12.5' N.	75°30' W.
47. Hatteras Inlet Entrance Buoy “HI” .....	35°10' N.	75°46' W.
48. Ocracoke Inlet Whistle Buoy “OC” .....	35°01.5' N.	76°00.5' W.
49. A point east of Cape Lookout Light .....	34°36.5' N.	76°30' W.
50. Southern terminus point .....	34°35' N.	76°41' W.

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\* \* \* \* \*

*Figures 6 and 7 to Part 651 [Amended]*

8. Figures 6 and 7 to part 651 are added and the caption is added to Figure 4 to part 651 to read "Figure 4 to part 651—Sink Gillnet Closure Areas".

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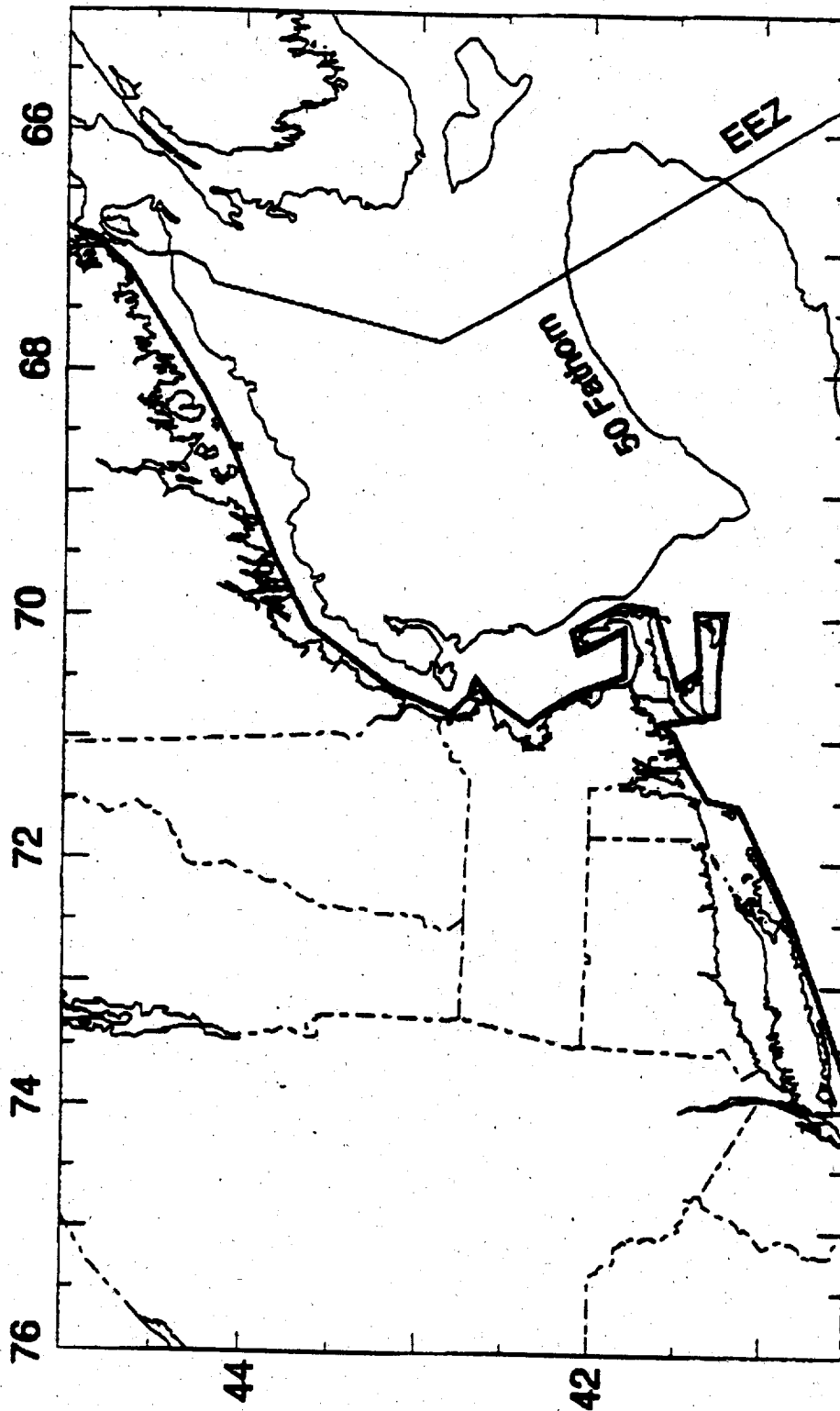


FIGURE 6 to part 651 -- Vessel Tracking System Demarcation Line - Northern Leg



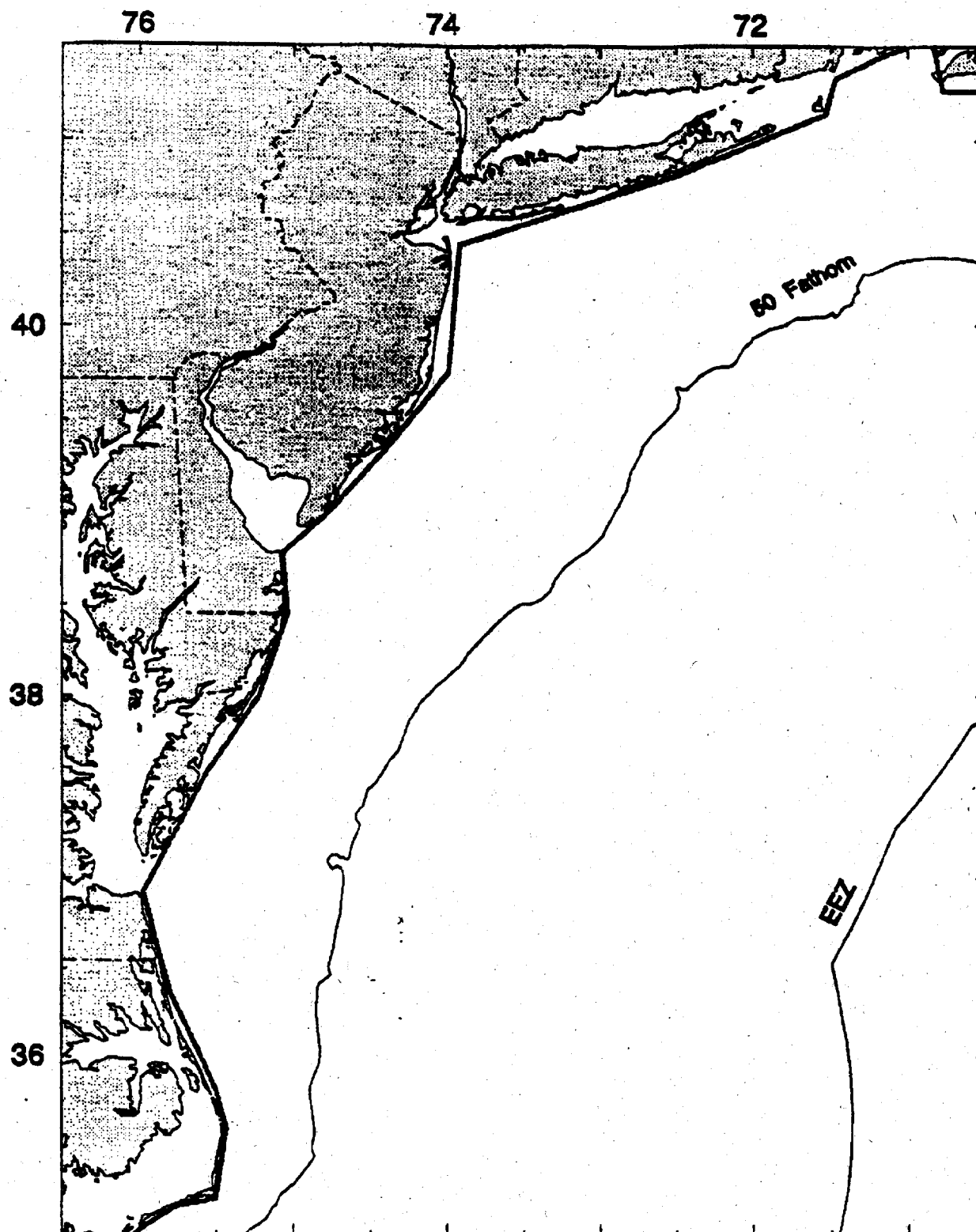


FIGURE 7 to part 651 -- Vessel Tracking System Demarcation Line - Southern Leg